

Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 3600
Application No. 10/081,873
Paper Dated April 19, 2004
In Reply to USPTO Correspondence of December 17, 2003
Attorney Docket No. 388-020337

REMARKS

Claims 1-6 and 8-24 were pending in this application. Claims 15-24 are cancelled. Claims 1 and 13 are amended. Therefore, claims 1-6 and 8-14 remain in this application. No new subject matter is believed to have been added by these amendments.

The Examiner has acknowledged that claim 12 is allowed and that claim 13 is directed to allowable subject matter.

Claim Objections

Claim 13 stands objected to for being awkward and unclear. The Applicants believe that the above amendments to claim 13 overcome the Examiner's objections. Reconsideration of this objection is respectfully requested.

35 U.S.C. § 103 Rejections

Claims 1-6, 8-11, and 14-24 stand rejected under 35 U.S.C. § 103(a) for obviousness over the Imanishi patent in view of U.S. Patent No. 4,969,533 to Holm et al. Claims 15-24 have been cancelled, thus rendering the rejections of claims 15-24 moot. In view of the above amendments and the following remarks, the Applicants respectfully request reconsideration of the rejections of claims 1-6, 8-11, and 14.

The present invention, according to amended claim 1, is directed to an engine enclosure for use on a vehicle having a cooling system for a vertical shaft type engine with a cooling air intake fan disposed above the engine. The engine enclosure includes an upper hood for covering the engine from above. The upper hood has an upper surface and right and left side surfaces extending downward from the upper surface. A lower hood covers lateral areas of the engine. Cooling air intake openings are formed in a position above a lower end of the respective right and left side surfaces of the upper hood for taking in ambient air. At least one barrier wall is disposed adjacent each of the cooling air intake openings. The at least one barrier wall causes one of the cooling air intake openings to be invisible to the other of the cooling air intake openings, and vice versa.

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The Imanishi patent was discussed above. The Examiner is relying on the Holm patent for teaching a cooling air intake opening formed in either a right or left side surface of a hood.

The Examiner stated that a careful reading of previous claim 1 did not require that the cooling air intake openings be invisible to each other due to the presence of the barrier wall. Claim 1 has been amended to clarify the invention in that the barrier wall causes the cooling air intake openings to be invisible to each other. Neither the Imanishi patent nor the Holm patent teach barrier walls adjacent the cooling air intake openings for hiding one cooling air intake opening from the other through the hood.

For the foregoing reasons, the Applicants believe that the subject matter of amended independent claim 1 is not rendered obvious by the Imanishi patent in view of the Holm patent. Reconsideration of the rejection of claim 1 is respectfully requested.

Claims 2-6, 7, 8-11, and 14 depend from and add further limitations to amended independent claim 1 or a subsequent dependent claim and are believed to be patentable for the reasons discussed hereinabove in connection with amended independent claim 1. Reconsideration of the rejections of claims 2-6, 8-11, and 14 is respectfully requested.

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CONCLUSION

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 1-6 and 8-14 are respectfully requested.

Respectfully submitted,

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